THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.21844 of 2006

DATED 27.10.2006

Between:

Yerukala Hakkula Porata Samithi, Karimnagar District Unit, 10-5-286, Kisan Nagar (Ekalavya Nagar), Karimnagar, Karimnagar District, represented by its President K.Sammaiah. .. PETITIONER

versus

The Commissioner, Municipal Corporation of Karimnagar, Karimnagar District and two others. .. RESPONDENTS

WRIT PETITION NO.21844 of 2006

ORDER:

When the matter came up for admission on 23.10.2006, Sri Polisetty Radhakrishna had taken notice on behalf of 1st respondent, G.P. for Revenue had taken notice on behalf of 2nd respondent and G.P. for General Administration Department had taken notice on behalf of 3rd respondent and the matter is coming in the list for admission today.

2. Sri Polisetty Radhakrishna, on oral instructions, states that at present the officers of Municipal Corporation of Karimnagar are not killing any pigs. Sri Nandigam Krishna Rao, learned counsel representing the writ petitioner would submit that may be at present the officials of the Municipal Corporation of Karimnagar may not be killing the pigs, but they had been doing so and that is the reason why the petitioner was constrained to approach this Court.

3. The Writ Petition is filed praying for a Writ of Mandamus (i)

declaring he action of the 1st respondent in killing pigs at Karimnagar since August, 2006 onwards to the present day, as illegal, arbitrary and unconstitutional, being violative of right to livelihood of the members of the petitioner-organisation, who hail from Yerukala community, apart from being violative of principles of natural justice and consequently (ii) direct the respondents not to kill pigs grown up by the members of the petitioner-organisation and further (iii) direct the respondents to pay compensation to the owners of the pigs, who are members of the petitioner-organisation, which were killed since August, 2006 and pass such other suitable orders.

4. Several factual details had been narrated in the affidavit filed in support of the Writ Petition and it is stated that the petitioner-organisation is interested in maintaining and safeguarding the welfare of Yerukala community and the livelihood of this community is upon piggering. It is also stated that when the local bodies started killing the pigs, the petitioner-organisation and others had filed WP No.23871 of 1999 and batch and the said Writ Petitions were disposed of with certain directions. It is stated that without following the said directions, the 1st respondent again from August, 2006 started killing pigs within the Corporation limits of Karimnagar. It is also stated that the petitioner got issued a notice to the respondents on 28.9.2006 and the petitioner also submitted a representation on 9.10.2006 to the 1st respondent not to kill the pigs, but the 1st respondent had not stopped the killing of pigs. Several other factual aspects also had been narrated in the affidavit filed in support of the Writ Petition.

5. In the light of the statement made by Sri Polisetty

Radhakrishna, learned Standing Counsel representing the 1st respondent, that the officials of the 1st respondent are not proceeding with the killing of the pigs at present, the same is hereby recorded. In view of the above statement, this Court is of the considered opinion that no further orders are required to be passed at this stage.

6. Accordingly the Writ Petition is hereby closed for the present giving liberty to the petitioner to pray for appropriate directions in the event of the respondents involving in such activities in future. No costs.

27.10.2006

SSR
Issue order copy by Monday.
(BO)